

Notice of Allowability

Application No.

10/784,621

Examiner

Hwei-Siu C. Payer

Applicant(s)

YEH, WEN-YA

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1.
3. ☒ The drawings filed on 23 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Hwei-Siu Payer
Primary Examiner

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

In the Specification:

- (1) On page 1, line 16, reference numeral "3" has been changed to --5--.
- (2) On page 1, line 18, "not labeled" has been changed to --3--.
- (3) On page 3, line 25, reference numeral "1" has been deleted.
- (4) On page 4, line 18, "15b" (first occurrence) has been changed to --15a--.

In the Claims:

- (1) In claim 1, line 8, "relatively" has been deleted.
- (2) In claim 1, line 9, "relatively" has been deleted.
- (3) In claim 1, line 14, "relatively" has been deleted.
- (4) In claim 1, line 15, "relatively" has been deleted.
- (5) In claim 1, line 16, "relatively" has been deleted.
- (6) In claim 1, line 22, "relatively" has been deleted.
- (7) In claim 1, line 24, "relatively" has been deleted.
- (8) In claim 1, line 25, "relatively" has been deleted.
- (9) In claim 1, line 29, "relatively" has been deleted.
- (10) Claims 2 and 3 have been canceled.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Allan D. Kamrath on February 7, 2005.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

Claim 1 contains allowable subject matter because none of the prior art of record taken alone or in combination thereof shows or fairly suggests the claimed subject matter. The most relevant reference is to Homann (U.S. Patent No. 6,367,155) which shows a first scissor element (21') including a countersink (see Fig.7) having a larger section facing away from a second scissor element (21) and a smaller section facing the second scissor element (21), and the second scissor element (21) including a countersink (see Fig.7) having a larger section facing away from a first scissor element (21') and a smaller section facing the first scissor element (21'). Further, Homann's pivotal device includes a nut (28) and a screw (26). However, the shank of the nut (28) extends through only the smaller section of the countersink of the first scissor element (21') and does not extend through the smaller section of the countersink of the second scissor element (21, see Fig.8). Moreover, the screw hole in the nut (8) does not extend through the enlarged head of the nut.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Prior Art Citations

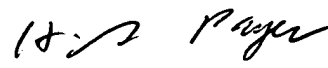
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Krouse, Ramsey, Hogg, Firth, Ketchart, Weidauer, Wiss, Wang and Homann are cited as art of interest.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hwei-Siu C. Payer whose telephone number is 571-272-4511. The examiner can normally be reached on Monday through Friday, 7:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 571-272-4514. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for official communications and 571-273-4511 for proposed amendments.

H Payer
February 7, 2005


Hwei-Siu Payer
Primary Examiner